

Attorney Docket No. C1039/7005(HCL)

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

IMMUNOSTIMULATORY NUCLEIC ACID MOLECULES

the specification of which is attached hereto unless the following is checked:

[x] was filed on October 30, 1997, as United States Application No.08/960,774 or PCT
(Include Series Code)
International Application No. _____, bearing attorney docket No.
_____, and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or section 365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign PCT International Application(s) and any priority claims under 35 U.S.C. §§119 and §365(a), (b):

(Number)	(Country-if PCT, so indicate)	(DD/MM/YY Filed)	Priority Claimed	
			[]	[]
			YES	NO
			[]	[]
			YES	NO
			[]	[]
			YES	NO

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

(Application Number) (filing date)

(Application Number) (filing date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56

which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<u>08/738,652</u> (Application No.)	<u>10/30/96</u> (filing date)	<u>pending</u> (status-patented, pending, abandoned)
<u>08/386,063</u> (Application No.)	<u>02/07/95</u> (filing date)	<u>allowed</u> (status-patented, pending, abandoned)
<u>08/276,358</u> (Application No.)	<u>07/15/94</u> (filing date)	<u>abandoned</u> (status-patented, pending, abandoned)

PCT International Applications designating the United States:

(PCT Appl. No.) (U.S. Ser. No.) (PCT filing date) (status-patented, pending, abandoned)

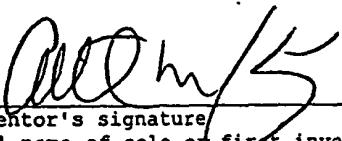
I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

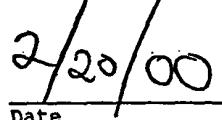
David Wolf	17,528	Peter J. Gordon	35,164	Robert A. Skrivanek, Jr.	41,316
George L. Greenfield	17,756	Randy J. Pritzker	35,986	Robert M. Abrahamsen	40,886
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Gary S. Engelson	35,128	Robert E. Rigby, Jr.	36,904	Alan W. Steele	P-45,128

Address all telephone calls to Helen C. Lockhart at telephone no. (617) 720-3500. Address all correspondence to:

Helen C. Lockhart
c/o Wolf, Greenfield & Sacks, P.C.,
Federal Reserve Plaza
600 Atlantic Avenue
Boston, MA 02210-2211

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Inventor's signature
Full name of sole or first inventor Arthur M. Krieg
Citizenship US
Residence (City and State, or City and Country for non-U.S. residence)
890 Park Place, Iowa City, Iowa 52319
Post Office Address same as above


Date

Inventor's signature _____ Date _____
Full name of sole or first inventor Joel Kline
Citizenship US
Residence (City and State, or City and Country for non-U.S. residence)
552 Linder Road, N.E., Iowa City, Iowa 52242
Post Office Address same as above

Inventor's signature _____ Date _____
Full name of sole or first inventor Dennis Klinman
Citizenship US
Residence (City and State, or City and Country for non-U.S. residence)
2 Candeleigh Court, Potomac, MD 20854
Post Office Address same as above

Inventor's signature _____ Date _____
Full name of sole or first inventor Alfred Steinberg
Citizenship US
Residence (City and State, or City and Country for non-U.S. residence)
8814 Bells Mill Road, Potomac, MD 20854
Post Office Address same as above

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IMMUNOSTIMULATORY NUCLEIC ACID MOLECULES

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[x] was filed on October 30, 1997, as United States Application No:08/960,774 or PCT International Application No. _____, bearing attorney docket No. _____, and was amended on _____ (if applicable).

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552 Linder Road, N.E., Iowa City, Iowa 52242
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Residence (City and State, or City and Country for non-U.S. residence)
2 Candeleigh Court, Potomac, MD 20854
Post Office Address same as above



2-20-2000

Inventor's signature _____ Date _____
Full name of sole or first inventor Alfred D. Steinberg
Citizenship US
Residence (City and State, or City and Country for non-U.S. residence)
8814 Bells Mill Road, Potomac, MD 20854
Post Office Address same as above



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

HK

JANUARY 24, 2001

PTAS

WOLF, GREENFIELD & SACKS, P.C.
HELEN C. LOCKHART
FEDERAL RESERVE PLAZA
600 ATLANTIC AVENUE
BOSTON, MASSACHUSETTS 02210

101525003A

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Confirmation	<input type="checkbox"/>
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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/30/2000

REEL/FRAME: 011254/0338

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

KRIEG, ARTHUR M.

DOC DATE: 10/19/2000

ASSIGNEE:

UNIVERSITY OF IOWA RESEARCH
FOUNDATION
214 TECHNOLOGY INNOVATION CENTER
OAKDALE RESEARCH CAMPUS
IOWA CITY, IOWA 52242

SERIAL NUMBER: 09630319

FILING DATE: 07/31/2000

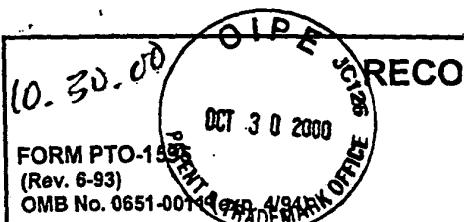
PATENT NUMBER:

ISSUE DATE:

SHARON LATIMER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

RECORDED IN THE PATENT AND TRADEMARK OFFICE ON JULY 25, 2003
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FORM PTO-1855
(Rev. 6-93)
OMB No. 0651-0014 exp. 4/94

11-22-2000

HEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

101525003

To the Commissioner for Patents : Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Arthur M. KriegAdditional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

 Assignment Merger Security Agreement Change of Name Other _____Execution Date: **October 19, 2000**

2. Name and address of receiving party(ies)

Name: **University of Iowa
Research Foundation**

Internal Address:

Street Address: **214 Technology Innovation Center
Oakdale Research Campus****Iowa City, IA 52242**Additional name(s) & addresses(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is

A. Patent Application No.(s)
09/630,319

B. Patent No.(s)

Additional numbers attached? Yes No5. Name and address of party to whom correspondence
Concerning document should be mailed:Name: **Helen C. Lockhart**
Address: **WOLF, GREENFIELD & SACKS, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston, MA 02210**6. Total number of applications and patents involved: **[1]**7. Total fee (37 CFR 3.41) **\$ 40.00** Enclosed Authorized to be charged to deposit account

The Commissioner is authorized to charge:

8. Deposit Account No: **23/2825**

DO NOT USE THIS SPACE

9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Helen C. Lockhart

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **[2]**

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Honorable Commissioner of Patents,
Washington, D.C. 20231

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, I the undersigned Arthur M. Krieg, 890 Park Place, Iowa City, IA 52246 hereby

Sell, assign and transfer to University of Iowa Research Foundation, an Iowa corporation having a place of business at 214 Technology Innovation Center, Oakdale Research Campus, Iowa City, Iowa 52242, its successors, assigns and legal representatives, all hereinafter referred to as the Assignee, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent filed in the United States Patent and Trademark Office on July 31, 2000 under Serial No. 09/630,319 and entitled METHODS FOR TREATING AND PREVENTING INFECTIOUS DISEASE, and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

I agree that said Assignee may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said Assignee, I agree to carry out in good faith the intent and purpose of this assignment, by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said Assignee all facts known to me relating to said inventions and the history thereof, and generally by doing everything possible which said Assignee shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said Assignee.

I hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said Assignee.

I covenant with said Assignee that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me and that full right to convey the same as herein expressed is possessed by me.

Date

10/19/00

Arthur M. Krieg

STATE OF Iowa
COUNTY OF Jackson

Subscribed and sworn to before me this 19th day of October 2000

SEAL

Arthur M. Krieg
Notary Public
My Commission Expires 6/7/2002

Date of Deposit: July 2, 2002



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

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SEPTEMBER 13, 2000

PTAS

WOLF, GREENFIELD & SACKS, P.C.
 HELEN C. LOCKHART
 FEDERAL RESERVE PLAZA
 600 ATLANTIC AVENUE
 BOSTON, MA 02210

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RECORDATION DATE: 07/12/2000

REEL/FRAME: 010939/0417
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

KLINMAN, DENNIS

DOC DATE: 03/01/2000

ASSIGNEE:

HEALTH AND HUMAN SERVICES,
 DEPARTMENT OF, UNITED STATES OF
 AMERICA, AS REPRESENTED BY THE
 SECRETARY, THE
 BUILDING 29A, 3D10
 BETHESDA, MARYLAND 20892

SERIAL NUMBER: 08960774

FILING DATE: 10/30/1997

PATENT NUMBER:

ISSUE DATE:

TONYA LEE, EXAMINER
 ASSIGNMENT DIVISION
 OFFICE OF PUBLIC RECORDS

REC 07-27-2000 SHEET

CRM PTO-1595 U.S.
 Rev. 6-93)
 MB No. 0651-0011 (exp. 4/94)



101415128

DEPARTMENT OF COMMERCE
 Patent and Trademark Office

To the Assistant Commissioner for Patents : Please record the attached original documents or copy thereof.

<p>Name of conveying party(ies): Dennis Klinman</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger</p> <p><input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other _____</p> <p>Execution Date: March 1, 2000</p>	<p>2. Name and address of receiving party(ies)</p> <p>Name: The United States Of America, as represented by the Secretary, Department of Health and Human Services</p> <p>Internal Address:</p> <p>Street Address: FDA/CBER Building 29A, 3D10 Bethesda, Maryland 20892</p> <p>Additional name(s) & addresses(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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4. Application number(s) or patent number(s):
 If this document is being filed together with a new application, the execution date of the application is

A. Patent Application No.(s)
08/960,774

B. Patent No.(s)

Additional numbers attached? Yes No

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: Helen C. Lockhart Address: WOLF, GREENFIELD & SACKS, P.C. Federal Reserve Plaza 600 Atlantic Avenue Boston, MA 02210</p>	<p>6. Total number of applications and patents involved: One</p> <p>7. Total fee (37 CFR 3.41) \$ 40.00</p> <p><input checked="" type="checkbox"/> Enclosed (previously filed on 3/7/00)</p> <p><input type="checkbox"/> Authorized to be charged to deposit account</p> <p>The Commissioner is authorized to charge:</p> <p>8. Deposit Account No: 23/2825</p>
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9. Statement and signature
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Helen C. Lockhart (Reg. No. 39,248)		7/12/00
Name of Person Signing	Signature	Date

Total number of pages including cover sheet, attachments, and document: 7

Mail documents to be recorded with required cover sheet information to:
 Box Assignment, Assistant Commissioner for Patents,
 Washington, D.C. 20231

ASSIGNMENT

WHEREAS, I, Dennis Klinman, as an employee of the Department of Health and Human Services during which time co-invented "IMMUNOSTIMULATORY NUCLEIC ACID MOLECULES" for which has been made application for Letters Patent of the United States Serial No. 08/960,774 filed October 30, 1997; and

WHEREAS, I am an applicant named in the above-identified application for Letters Patent; and

WHEREAS, the conditions under which said invention was made are such as to entitle THE UNITED STATES OF AMERICA, as represented by the Secretary, Department of Health and Human Services [hereinafter THE GOVERNMENT] under Paragraph 1(a) of Executive Order 10096 to the entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, THE GOVERNMENT is desirous of acquiring all domestic and foreign right, title, and interest in the above-mentioned invention described in the application for Letters Patent; and

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, I hereby assign and transfer to THE GOVERNMENT, represented by the Secretary, Department of Health and Human Services, the full and exclusive rights in and to said invention in the United States and within each and every foreign country in which THE GOVERNMENT elects to file and the entire right, title, and interest in and to such applications, and any continuations, continuations-in-part, divisions, reissues or extensions thereof, and including priority rights as may be filed in the United States and foreign countries, and such Letters Patent as may be granted to be held by THE GOVERNMENT to the end of the term for which the same would have been held by the inventor had this assignment not been made.

I further agree to make, execute, and deliver to the Secretary, Department of Health and Human Services, upon request, any and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letters Patent, and to assist THE GOVERNMENT in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by THE GOVERNMENT.

IN WITNESS WHEREOF I subscribe my hand and seal on the dates shown below:

Date

March 1, 2000

Dennis Klinman

County of

Montgomery

State of

Maryland

Subscribed and sworn to before me this 1st day of April, 2000

[Seal]

Margaret L. Tomczak

Notary Public

432712.1

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UNITED STATES DEPARTMENT OF COMMERCE
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FEBRUARY 26, 2001

PTAS

WOLF, GREENFIELD & SACKS, P.C.
HELEN C. LOCKHART
FEDERAL RESERVE PLAZA
600 ATLANTIC AVENUE
BOSTON, MA 02210

**CORRECTED
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RECORDATION DATE: 10/30/2000

REEL/FRAME: 011254/0360
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:
STEINBERG, ALFRED D.

DOC DATE: 10/30/1998

ASSIGNEE:
COLEY PHARMACEUTICAL GROUP, INC.
20 WILLIAM STREET, SUITE 115
WELLESLEY, MASSACHUSETTS 02481

SERIAL NUMBER: 09630319
PATENT NUMBER:

FILING DATE: 07/31/2000
ISSUE DATE:

DOROTHY RILEY, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

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Patent and Trademark Office

To the Commissioner for Patents : Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Alfred D. Steinberg

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: **October 30, 1998**

2. Name and address of receiving party(ies)

Name: **Coley Pharmaceutical Group, Inc.**

Internal Address:

Street Address: **20 William Street, Suite 115**
Wellesley, MA 02481

Additional name(s) & addresses(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is

A. Patent Application No.(s)
09/630,319

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Helen C. Lockhart**
Address: **WOLF, GREENFIELD & SACKS, P.C.**
Federal Reserve Plaza
600 Atlantic Avenue
Boston, MA 02210

6. Total number of applications and patents involved: **[1]**

7. Total fee (37 CFR 3.41) **\$ 40.00**

Enclosed

Authorized to be charged to deposit account

The Commissioner is authorized to charge:

8. Deposit Account No: **23/2825**

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9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Helen C. Lockhart

October 26, 2000

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **[2]**

Mail documents to be recorded with required cover sheet information to:

Box Assignment

Honorable Commissioner of Patents,
Washington, D.C. 20231

CpG ImmunoPharmaceuticals, Inc.
55 William Street, Suite 120
Wellesley, Massachusetts 02481
Phone 781-431-6400
Fax 781-431-6403



October 30, 1998

Alfred D. Steinberg, M.D.
8814 Bells Mill Rd
Potomac, MD 20854

VIA OVERNIGHT COURIER

PERSONAL AND CONFIDENTIAL

Dear Dr. Steinberg

This is to confirm in writing the understanding reached by the Company and you under which you will serve as a consultant to the Company.

The Company hereby retains you to render such consulting, advisory and related services to the Company in the field of vaccine adjuvants, cancer vaccines and immunomodulation as the Company may reasonably request from time to time. You hereby accept such engagement subject to the terms and conditions set forth herein.

You hereby agree that if you are determined to be an inventor of U.S. patent application Serial No. 08/276,358, entitled "Immunomodulatory Oligonucleotides," you do hereby assign all right, title and interest you may have in such patent application and all related patent applications and patents (including any continuations, continuations-in-part, divisions, extensions, renewals, reissues, revivals, re-examinations and foreign counterparts) to CpG ImmunoPharmaceuticals, Inc. To the best of your knowledge and belief, you are free to assign such ownership interest to CpG without the consent of any third party.

In consideration for the above assignment and your consulting services, you shall receive the option to purchase 50 shares of the Company's Common Stock at a purchase price of \$206.70 per share, with such option to purchase all 50 shares vesting immediately upon execution of this Letter Agreement, and pursuant to the terms of a Non-Qualified Stock Option Agreement to be entered into between the parties hereto. In addition, you shall be paid \$34,335.00 upon the Company's receipt of an executed copy of this Agreement.

This Agreement may be terminated by you for any reason by giving the Company 30 days written notice. In the event that you so terminate this Agreement, you shall be entitled to all valid, non-reimbursed personal expenses incurred by you in connection with performance of your consulting services. The Company may terminate this Agreement only with your written, mutual consent. Regardless of which party terminates this Agreement, the assignment mentioned above shall remain in force, and you shall have 3 months in which to exercise your right to purchase the balance, if any, of the 50 shares of stock not previously purchased.

Please acknowledge your agreement with the foregoing by signing below, keeping one original copy, and returning the other original in the enclosed overnight courier envelope to me for our files. Thanks.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert L. Bratzler, Ph.D."

Robert L. Bratzler, Ph.D.
President and Chief Executive Officer

Agreed to and Acknowledged by:

A handwritten signature in black ink, appearing to read "Alfred D. Steinberg, M.D."